

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LARRY GROVES,	:
	:
Petitioner,	:
	:
v.	:
	:
	: OPINION AND ORDER
	:
WARDEN, CHILLICOTHE	:
CORRECTIONAL INSTITUTION,	:
	:
Respondent.	:

This matter is before the Court on the Magistrate Judge's Report and Recommendation (doc. 2).

Petitioner filed an application to proceed in forma pauperis pursuant to 28 U.S.C. §1915(a) in connection with a petition for a writ of habeas corpus (doc. 1). The Magistrate Judge, however, determined from Petitioner's application that he has sufficient funds to pay the \$5.00 filing fee to institute this action (doc. 2). As such, the Magistrate Judge recommended the Court deny Petitioner's application to proceed in forma pauperis, to direct the Clerk to return to Petitioner the documents he submitted and to administratively close this matter on the Court's docket (Id.). The Magistrate Judge further recommended that any order adopting her Report and Recommendation should not affect Petitioner's right to file his petition upon payment of the full \$5.00 filing fee (Id.).

Having reviewed this matter, the Court finds the

Magistrate Judge's Report and Recommendation well-taken in all respects. Accordingly, the Court ADOPTS and AFFIRMS such Recommendation (doc. 2), DENIES Petitioner's application for leave to proceed in forma pauperis (doc. 1), DIRECTS the Clerk to return to Petitioner the documents he submitted and to administratively close this matter on the Court's docket. The Court further concurs that this Order shall not affect Petitioner's right to file his Petition upon full payment of the \$5.00 filing fee.

SO ORDERED.

Dated: December 14, 2010

/s/ S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge